IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 21368 of 2007(R)

PETITIONER:

P.N. VIJAYA RAGHAVAN,
SPECIAL GRADE SECRETARY,
ELEVANCHERY GRAMA PANCHAYAT,
S/O. BHASKARAN,
PUTHUSSERIYIL HOUSE, MUNDAKKAYAM P.O.,KOTTAYAM.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

RESPONDENTS:

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1. THE DIRECTOR OF PANCHAYATS,
PANCHAYAT DIRECTORATE, THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY SECRETARY,LOCAL SELF ADMINISTRATION
SECRETARIAT, THIRUVANANTHAPURAM.

3. ALI,
SPECIAL GRADE SECRETARY,
ELAPPARA GRAMA PANCHAYAT,
PALAKKAD.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

W.P (C) No. 21368 of 2007

Dated this the 11th day of July, 2007

J U D G M E N T

The petitioner while working as Junior Superintendent has been promoted as Special Grade Secretary under Rule 9 (d) of the K.S. & S.S.R and posted to Elavancherry in Palakkad District, which is a Tamil speaking area. The petitioner submits there are three panchayats, viz., Elappara, Peerumedu and Vandiperiyar in Idukki district, wherein, he can be accommodated. He is a native of Mundakkayam. The present posting is inconvenient to him. The petitioner submitted Exhibit-P3 representation before the 1st respondent praying that he may be posted to one of those Panchayats in Idukki. Thereafter, this writ petition is filed. The petitioner has been posted to Elavancherry on his promotion. Therefore, the norms for general transfer is not applicable in this case. If Exhibit-P3 is received and is pending, the 1st respondent shall consider and pass orders on it, within six weeks from the date of production of a copy of

this judgment, having regard to the fact that the petitioner will retire from service, within six months.

The writ petition is disposed of as above.

(K.BALAKRISHNAN NAIR, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007